



PUBLIC NOTICE

Federal Communications Commission
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DA 05-3039
November 23, 2005

COMMENTS INVITED ON APPLICATION OF CORECOMM NEW YORK, INC. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 05-323
Comp. Pol. File No. 728

Comments Due: December 7, 2005

Section 214 Application

Applicant: CoreComm New York, Inc.

On **October 26, 2005, CoreComm New York, Inc.** (CoreComm or Applicant), located at **2100 Renaissance Boulevard, King of Prussia, PA 19406**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic and international telecommunications services¹ to customers located in the state of New York.

CoreComm indicates that it has been in the process of obtaining approval to discontinue service to customers in various locations as part of its emergence from bankruptcy along with its parent company, ATX Communications, Inc. As part of this process, CoreComm identified 190 customer lines in the state of New York that must be disconnected before CoreComm can wrap up its business and dissolve. CoreComm asserts that it has not billed the customers associated with these lines for some time but the affected customers may receive local exchange service from CoreComm via the resale of Verizon service or via UNE-P. CoreComm indicates that certain long distance services may be packaged with local exchange service to these customers, so out of an abundance of caution, CoreComm seeks authority to discontinue local, intrastate toll, interstate toll and international services to its remaining customers in New York. CoreComm states that it provided notice to the affected customers by letter dated October 26, 2005. CoreComm anticipates discontinuing service to these customers on December 27, 2005 or as soon thereafter as the necessary federal and state regulatory authorizations can be obtained. CoreComm asserts that it is a non-dominant carrier for these services in New York.

In accordance with section 63.71(c) of the Commission's rules, CoreComm's application will be deemed to be granted automatically on the thirty-first (31st) day after the release date of this public

¹ Discontinuance of international service is governed by 47 C.F.R. § 63.19.

notice, unless the Commission notifies CoreComm that the grant will not be automatically effective. In CoreComm's application and notice to its customers, CoreComm indicates that it anticipates discontinuing service on December 27, 2005. Accordingly, pursuant to section 63.71(c) and the terms of CoreComm's application, absent further Commission action, CoreComm may terminate service on **December 27, 2005**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **December 7, 2005**. Such comments should refer to **WC Docket No. 05-323 and Comp. Pol. File No. 728**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's

duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or John Adams, (202) 418-0394 (voice), john.adams@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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